IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HONOURBALE SRI JUSTICE ELIPE DHARMA RAO

W.P. No. 17866 OF 2005

Dated : 11th August, 2005

Between:

Bukya Raji and another

Petitioners

AND

The Mandal Revenue Officer,

Badrachalam Manda,

Khammam District.

Respondent

THE HONOURBALE SRI JUSTICE ELIPE DHARMA RAO

W.P. No. 17866 OF 2005

ORAL ORDER:

Assailing the action of the respondents in trying to dispossess the petitioners from the land an extent of Ac.2.30 cents in Sy.No.50/5 situated at Bhadrachalam village, Khammam Mandal, without following due process of law, the petitioners filed this writ petition.

It is submitted that the first petitioner is in occupation of Ac.1.50 cents while the remaining extent of Ac.0.80 cents is in occupation of the 2nd petitioner, from out of Ac.2.30 cents in the above Sy. No. which is Government land, for the last seven decades. It is further submitted that they have been paying the taxes regularly to the Government. Though the petitioners approached the respondent for assignment of the land, inasmuch as the petitioners are entitled to the benefit of Agency laws, no such assignment was made by the respondent. On the other hand, on 10.8.2005, the respondent visited the land at the behest of local leaders, and threatened the petitioner to vacate the land immediately else they would be evicted by use of force.

Having regard to these facts and circumstances of the case, since the petitioners are said to be in possession of the land in question for more than seven decades and have been paying taxes, I deem it appropriate to dispose of the writ petition at the stage of admission, directing the respondents not to dispossess the petitioners from the land to an extent of Ac.2.30 cents in Sy. No. 50/5, Bhadrachalam village, Khammam District, without following due process of law. With this direction, the writ petition stands disposed of. No order as to costs.

Elipe Dharma Rao, J.

August 11, 2005

MAS.